IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

TUESDAY, THE 23RD JANUARY 2007 / 3RD MAGHA 1928

Bail Appl..No. 422 of 2007()

CR 5/07 of Beppur Police Station

: PETIIONERS/ACCUSED 1 TO 12

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1. UBAID, S/O.HUSSAIN KOYA,
KUNNATHUPARAMBIL HOUSE, BEPPUR, KOZHIKODE-15.

2. SALEEM @ KOYAMON, S/O.MAMMU,
CHERUPURACKAL HOUSE, BEPPUR, KOZHIKODE.

3. RAFI, S/O.AHAMMED KUTTY, RESIDING DO.

4. JAFFER, S/O. BAVA,
KUNNATHUPARAMBIL HOUSE, BEPPUR, KOZHIKODE.

5. IRSHAD, S/O.SAIDALAVI, RESIDING DO.

6. SHABEER, S/O.YOUSUF, RESIDING DO.

7. KAMARUDHEERN, S/O.KUNHI KOYA,
CHERUPURACKAL HOUSE, BEPPUR, KOZHIKODE.

8. MANAF, S/O.BICHI KOYA,
KINATTILAKATH HOUSE, BEPPUR, KOZHIKODE.

9. JAFFER, S/O.KUNHIKOYA,
KUNNATHUPARAMBIL HOUSE, BEPPUR, KOZHIKODE.

10. KUNHIMON, S/O.KAMMUKUTTY, RESIDING DO.

11. JALEEL, S/O.KAMMUKUTTY, RESIDING DO.

12. SHIHAB, S/O.HAMSAKOYA, RESIDING DO.

BY ADV. SHRI.M. RATNA SINGH (SR)
SRI.K.PRAVEEN KUMAR
SRI.K.SHIBILI NAHA

RESPONDENTS: COMPLAINANT/STATE
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1. THE SUB INSPECTOR OF POLICE,
BEPPUR POLICE STATION, KOZHIKODE.

2. STATE REP.BY PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM.

BY PUBLIC PROSECUTOR SHRI. P.N. SUKUMARAN

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 23/01/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

V.Ramkumar, J.

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B.A.No.422 of 2007

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Dated this the 23rd day of January, 2007.

ORDER

Petitioners, who are accused Nos. 1 to 12 in CR No.5 of 2007 of Beppur Police Station, Kozhikode for offences punishable under Sections 143, 147, 148, 452, 427, 354, 323, 324 and 308 read with Section 149 I.P.C., seek anticipatory bail.

2. The learned Public Prosecutor opposed the application.

3. The occurrence took place on 11.1.2007 at 8.30 p.m. after mouth of a foot ball match held on the same day at Beppur Beach. There is an earlier occurrence soon after the foot ball match in which some of the petitioners were injured and give rise to crime No.4 of 2007 of Beppur Police Station. The present occurrence was sequel to that occurrence.

4. Having regard to the fact that the petitioners allegedly used stick and iron rods as weapons, their interrogation is inevitable. Accordingly, the petitioners shall surrender before the Investigating Officer on any day between 24.1.2007 and 27.1.2007 for the purpose of custodial interrogation and recovery of incriminating material, if any.

The petitioner shall thereafter be produced before the Magistrate having jurisdiction on the same day, who shall release the petitioners on bail on appropriate conditions, in case an application for regular bail is filed for the same.

With this direction, this application is disposed of.

V.Ramkumar,
Judge.

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